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MARGER JOHNSON & MCCOLLOM PC 1030 SW MORRISON STREET PORTLAND, OR 97205			TRAN, DOUGLAS Q	
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			2624	

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/645,805

Applicant(s)

WHEELER, PHILIP ORRIN

Examiner

Douglas Q. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Applicant's arguments, see page 5, filed 5/18/04, with respect to the rejection(s) of claim(s) 1-2, 6, 12, and 14 under 102 rejection have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Gibbons et al. (US Patent No. 5,305,020) and Parsons et al. (US Patent No. 5,133,048).

#### ***Drawings***

2. The amendment drawing (i.e., fig. 1) were received on 5/18/04. The figure 1 is modified with the label "PRIOR ART".

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5- 6, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Gibbons et al. (US Patent No. 5,305,020) and Parsons et al. (US Patent No. 5,133,048).

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As to claim 1, Gibbons teaches a method of configuring paper stock in a printing device (fig. 1), the method comprising:

loading paper into a tray of the printing device (fig. 3B and col. 6, lines 10-15 indicates that the interchangeable tray 126 is loaded and hold media of type and size);

providing information about visual characteristics of the paper and the tray in which the paper has been loaded to the printing device (i.e., the controller 46 of the printer) (col. 6, lines 27-32, and 49-53 describes that the status information of the paper of the paper of the tray “i.e., 126”, such as the type/size information, and the status of the tray 126, such as full/empty information, are provided to the printer controller 46 and a processor 56); and

Although Gibbons teaches automatically updating a media indicator (i.e., 134 in fig. 3A) to include the information about the paper and the tray (col. 6, lines 49-54 also describes that the status information of the paper and the tray is provided to the printer controller 46 and updated at the media indicator 134), Gibbons does not teach a step of updating the information about the paper and tray is updated to a user interface.

Parsons teaches a step of updating the information about the paper and tray is updated to a user interface (i.e., 62 in fig. 1B and fig. 10; and col. 6, lines 53-58).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the step of updating in Gibbons for updating the information about the paper and tray to a user interface as taught by Parsons. The suggestion for modifying the step of updating in Gibbons can be reasoned by one of ordinary skill in the art as set forth above by Parsons because the modified step of updating would increase the efficiency of the printing system by directly providing the information of the paper and the trays to the user at his

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user interface when he/she prepares the print job. Such a modification would allow the user to keep track the current information of the paper and trays during he/she prepares the print jobs.

As to claim 2, Gibbons and Parsons disclose every feature discussed in claim 1, and Gibbons further teaches the printing device is printer (10 in fig. 2 and col. 4, line 43).

As to claim 3, Gibbons and Parsons disclose every feature discussed in claim 1, and Parsons further teaches the printing device (2 in fig. 1A) is a copier (fig. 2 indicates the copier including the image input 4 for scanning the document and the printer 8 for printing the image of document; col. 2, lines 60-62).

As to claim 5, Gibbons and Parsons disclose every feature discussed in claim 1, Parsons further teaches of providing information further comprises a control input signal from a control interface on a control panel of the printing device (i.e., 62 in fig. 1B and fig. 10).

As to claim 6, Gibbons and Parsons disclose every feature discussed in claim 1, and Gibbons further teaches scanning a piece of the paper stock (i.e., a paper is sensed and the sensed paper would represent of the presence of type of medium) and associating a resulting scanned image (i.e., the sensed paper signal of the type of medium is displayed on the indicator as an image) with the paper tray (col. 6, lines 49-54 and col. 7, lines 51-56 indicates that the sensed paper signal of the medium associated with the paper tray "i.e., 126" is indicated to indicator 134).

As to claim 12, Gibbons discloses a computer readable medium (the memory 58 in fig. 1) containing software code (col. 5, lines 29-31 describes that the processor 56 for performing the functions by the programs "the printer driver" stored in the memory 58. Thus, the

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memory 58 would be considered as a computer readable medium containing software code), the code operable to:

receive information about the visual characteristics of paper loaded into a printing device and an associated tray in which the paper is located (fig. 3B and col. 6, lines 10-15 indicates that the interchangeable tray 126 is loaded and hold media of type and size; and col. 6, lines 27-32, and 49-53 describes that the status information of the paper of the tray "i.e., 126 ", such as the type/size information, and the status of the tray 126 , such as full/empty information, are provided to the printer controller 46 and a processor 56);

Although Gibbons teaches the code to update the media indicator (134 in fig. 3A) to include the information (col. 6, lines 49-54 also describes that the changing-status information of the paper and the tray is provided to the printer controller 46 and updated at the media indicator 134), Gibbons does not teach a step of updating the information about the paper and tray is updated to a user interface.

Parsons teaches the code to update the information about the paper and tray is updated to a user interface (i.e., 62 in fig. 1B and fig. 10; and col. 6, lines 53-58).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the updating code of Gibbons for updating the information about the paper and tray to a user interface as taught by Parsons. The suggestion for modifying the updating code of Gibbons can be reasoned by one of ordinary skill in the art as set forth above by Parsons because the modified updating code would increase the efficiency of the printing system by directly providing the information of the paper and the trays to the user at his user interface

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when he/she prepares the print job. Such a modification would allow the user to keep track the current information of the paper and trays during he/she prepares the print jobs.

As to claim 14, Gibbons and Parsons disclose every feature discussed in claim 12, and Gibbons further teaches a medium further comprises a printer driver (col. 5, lines 29-31).

5. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gibbons and Parsons as applied to claim 1 above, and further in combination with Sanchez et al. (US Patent No. 5,784,177).

As to claim 4, Gibbons and Parsons disclose every feature discussed in claim 1.

However, neither Gibbons nor Parsons teach the printing device is a multi-function peripheral.

Sanchez, in the same field of endeavor "the printing operation", teaches the printing device (16 in fig. 1) is a multi-function peripheral (col. 2, lines 59-61 and col. 4, lines 19-22 describes the digital copier to be operable as a multi-functional device).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printing device of Gibbons and Parsons to be a copier as taught by Sanchez. The suggestion for modifying the printing device of Gibbons and Parsons can be reasoned by one of ordinary skill in the art as set forth above by Sanchez because the modified printer would improve the advantage of the printing system by increasing more optional functionalities including a copying operation and a scanning operation. Such a modification would allow the user to desire for selecting either a scanning operation or a copying operation or a printing operation at the printing system.

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As to claim 7, Gibbons and Parsons disclose every feature discussed in claim 1.

However, neither Gibbons nor Parsons teach providing information further comprises accesses a control interface on a computer connected to the printing device.

Sanchez, in the same field of endeavor “the printing operation mode at the user interface”, teaches providing information (i.e., the current capabilities and configuration) comprises accesses a control interface (70 in fig. 5) on a computer (11 in fig. 1) connected to the printing device (16 in fig. 1) (col. 3, lines 60-63 describes that the current capabilities and configuration of the connected copier which is accessed by the computer 11 via the control interface “i.e., a graphical user interface 70 in fig. 5” which is described from col. 5, lines 44-51 and col. 5, line 66 to col. 6, line 5).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printer status information of Gibbons and Parsons for comprising accesses a control interface on a computer connected to the printer as taught by Sanchez. The suggestion for modifying the printer status information of Gibbons and Parsons can be reasoned by one of ordinary skill in the art as set forth above by Sanchez because such a modification would increase the accuracy of the performance of the printing systems by providing the updated/current configuration of the printer to the control interface of the computer so that the user confidently sets up the print job at his computer without going to the printer for checking the status of the printer.



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6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gibbons and Parsons as applied to claim 12 above, and in combination with Katahira (US Patent No. 6,628,418 B1).

As to claim 13, Gibbons and Parsons disclose every feature discussed in claim 12.

Although Gibbons teaches the medium (i.e., the memory 58 in fig. 1) for storing the control program codes such as the printer driver (col. 5, lines 29-31), Gibbons does not teach a medium further comprises a downloadable file.

Katahira, in the same field of endeavor "the printing operation", teaches the medium (i.e., FROM 46 in fig. 3) comprises a downloadable file (i.e., a new application program data) (col. 4, lines 5-8 and 18-20 describes that the new application program data from the computer 50 would be downloaded to the FROM 46 of the copier "fig. 1" for replacing the old program code).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the memory of either Gibbons or Parsons to comprise the downloadable file such as the new application program for replacing the old program as taught by Katahira. The suggestion for modifying the memory of either Gibbons or Parsons can be reasoned by one of ordinary skill in the art as set forth above by Katahira because the modified printing systems which would increase the advantage of the controlling operations for the printer if the printer has a function for accepting the new program downloaded from the output device to update the old program code, and which would increase the reliability of the printer when the printing system is performed with the new and updated version of the application program.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 8-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Parsons et al. (US Patent No. 5,133,048).

As to claim 8, Parsons discloses a method of providing a user interface (52 in fig. 2) operable to allow communication with a printing device (a printer 8 in fig. 2), the method comprising:

establishing a window on a display device (62 in fig. 1A) viewable by a user (i.e., figure 7 indicates a window for displaying the viewable objects to the user, col. 6, lines 45-56), remote from the printing device on the network (col. 2, lines 62-64);

providing the user with a view of paper in at least one paper tray of the printing device, wherein the view includes visual contents of the paper (figure 10 indicates the window for viewing the size of a paper “175-2”, the type of a paper “178-1” and the color of paper “180-1” from one of the paper trays “202”, col. 6, lines 47-58) ; and

allowing the user to select the at least one paper tray to complete a print job (col. 4, lines 48-54 describes that in order to complete a print job, the operator can program to the print job with a number of instructions by selecting the a number of objects from the window. Therefore, at least one tray 202, which is one of the objects from the window “fig. 10”, is selected by the operator for complete a print job) across the network (col. 2, lines 62-64).

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As to claim 9, Parsons discloses every feature discussed in claim 8, and Parsons further teaches the view comprises a template (Please see figure 10, the pattern of any of objects is displayed on the window would be considered as a template; or col. 7, lines 21-23 describes that the ordered stock any set of successively different or unique sheets of print media that forms a repetitive pattern or set 215 "fig. 13". Thus each sheet pattern would be a template).

As to claim 10, Parsons discloses every feature discussed in claim 8, and Parsons further teaches the view comprises a designated color (please see figure 13, the view of paper is displayed with its color, col. 7, lines 24-26).

As to claim 11, Parsons discloses every feature discussed in claim 8, and Parsons further teaches the view comprises a thumbnail of a piece of the paper (col. 7, lines 21-23 describes that the ordered stock any set of successively different or unique sheets of print media that forms a repetitive pattern or set 215 "fig. 13". Thus, the form of the ordered-sheet set "215 in fig. 13" would be considered as a thumbnail".

### ***Response to Arguments and Amendment***

Applicant's arguments filed 5/18/04 have been fully considered but they are not persuasive.

Applicant asserted in page 5 " Gibbons discusses the detection of whether thermal paper has a coating on it or not. This is no the same thing as visual characteristics" and " Gibbons does not teach that the information provided is about the visual characteristics of the printer, nor about which tray a particular paper having a particular visual characteristic is loaded". In reply, Gibbons teaches, col. 6, lines 27-32, and 49-53, the status information of the paper of the paper

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of the tray “i.e., 126”, such as the type/size information, and the status of the tray 126, such as full/empty information, are provided to the printer controller 46 and a processor 56.

Applicant asserted in pages 5 to 6 “ with regard to claim 6, scanning a piece of paper stock is not the same as sensing the presence of a piece of paper. Scanning provides the information about the visual characteristic of the paper”. In reply, Gibbons teaches scanning a piece of the paper stock (i.e., a paper is sensed and the sensed paper would represent of the presence of type of medium) and associating a resulting scanned image (i.e., the sensed paper signal of the type of medium is displayed on the indicator as an image) with the paper tray (col. 6, lines 49-54 and col. 7, lines 51-56 indicates that the sensed paper signal of the medium associated with the paper tray “i.e., 126” is indicated to indicator 134).

Applicant asserted in page 6 “ Parsons only provides some general information, such as size, type and color, but only to a user standing directly in front of the printer”. In reply, Parsons teaches the printing system can be connected to the network with remote input, controller, and printer (col. 2, lines 62-64).

Applicant asserted in page 6 “ Parsons allows the user to select from a selection of pre-defined colors, but does not provide a thumbnail image of the paper, just what may be interpreted as a thumbnail example of the paper”. In reply, Parsons teaches, col. 7, lines 21-23, the ordered stock any set of successively different or unique sheets of print media that forms a repetitive pattern or set 215 “fig. 13”. Thus, the form of the ordered-sheet set “215 in fig. 13” would be considered as a thumbnail.

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Applicant asserted in page 7 "Sanchez does not cure this deficiency in the combination".

In reply, Sanchez clearly teaches the printing device, which is copier, or multi function device (16 in fig. 1)

Applicant asserted in page 7 "Katahira is directed to the control programming of a copier with regard to its overall operation. It is not directed to a code used for the user interface and storing information about the paper in a tray" In reply, because Katahira is directed to the control programming of a copier with regard to its overall operation, his control programming would include the controlling of the program of the user interface. Katahira teaches the medium (i.e., FROM 46 in fig. 3) comprises a downloadable file (i.e., a new application program data) (col. 4, lines 5-8 and 18-20 describes that the new application program data from the computer 50 would be downloaded to the FROM 46 of the copier "fig. 1" for replacing the old program code).

For the above reasons, it is believed that the cited prior art fully discloses the claimed invention and the rejection stand.

### ***Conclusion***

Applicant's arguments with respect to claims 1-3, 5- 6, 12 and 14 have been considered but are moot in view of the new ground(s) of rejection. This action is made **non-final**.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran  
Sep. 15, 2004

